

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Police Department – Sanction of Compensation amount of Rs.6, 49,355-00 in MV.OP No.1717/1997 filed by Sri Mir Mosin Ali Khan as an advance from the Contingency Fund – Orders – Issued.

HOME (WNT) DEPARTMENT

G.O.Rt.No. 945

Dated: 7 -6-2010.

Read the following:

1. From the DGP, Lr.Rc.No.1112/U3/2002, dated.27-11-2007.
2. From the DGP, Lr.Rc.No.1112/U3/2002, dated.7-01-2010.
3. Govt.Memo.No.36407/WNT/A1/2007, dated 10-02-2010.
4. From the DGP, Lr.Rc.No.1112/U3/2002, dated 26-2-2010.
5. From the DGP, Lr.Rc.No.1112/U3/2002, dated 27-3-2010.

ORDER:

The Director General of Police, vide his letter 1st read above has reported that Sri Mir Mohsin Ali Khan has filed OP.No.1717/1997 claiming compensation amount of Rs.5,70,638/- as he sustained major injuries due to accident of Police Jeep No .AP 9P 1947 on 1-3-1997 in front of Traffic PS Tankbund. In this regard a crime No.133/97 U/s 337 and 338 IPC was registered at Saifabad Polce Station, in this accident police vehicle No.AP 9P 1947 of Nizamabad District and driver Sri Sk.Hammed HC 126 AR Nizamabad were involved.

2. The Director General of Police, vide his letter 2nd read above has reported that Inspector General of Police, PTO in his letter dated 30-12-2009 **has informed that the Government Pleader, Arbitration, High Court of A.P. has been consulted and he has informed that the Hon'ble High Court of A.P. has partly allowed the appeal filed against the award of Rs.4,76,000/- towards compensation by reducing the rate of interest from 9% to 7.5% per annum** and confirmed the compensation awarded by the City Civil Court, Hyderabad.

3. In the reference 3rd read above, the Director General of Police, Andhra Pradesh, Hyderabad has been requested to submit the copies of the Orders of the Hon'ble High Court of A.P. in CMA No.3882/2009 and the opinion of the Government Pleader in this case and submit his specific report to the Government for taking further action in the matter to avoid further legal complications.

4. In the reference 4th read above, the Director General of Police, Andhra Pradesh, Hyderabad has informed that a copy of the order of the Hon'ble High Court of A.P. in CMA.No.3882/2009, Check list and Revised Calculation statement are submitted for perusal and further stated that the IGP, PTO in his letter dated 17-2-2010 has informed that the rate of interest is reduced from 9% to 7.5% per annum and confirmed the compensation amount of Rs.4,76,000/- awarded by the City Civil Court, Hyderabad and requested to sanction of Rs.6,49,355/- towards compensation with interest @ 7.5% p.a including Advocate fee and Proportionate cost as follows:

S.No	Description	Amount in Rs.	Amount in Rs.
1	Original decreetal amount ordered by the City Civil Court	4,76,000-00	
2	Decreetal amount (Rs.2,00,000/- already deposited in city civil court vide cheque no.147036,dt.31-3-2005	2,00,000-00	276000-00
3	Interest amount on Rs.4,76,000/- w.e.f.24-12-1997 to 31-3-2005 @ 7.5 % per annum		259593-00
4	Interest amount on Rs.2,76,000/- w.e.f. 1-4-2005 to 31-3-2010 @ 7.5 % PA		103500-00
5	Advocate fee		2000-00
6	Proportionate Cost		8262-00
	Total amount		649355-00

Contd.P.2

5. Vide reference 5th read above, the Director General of Police, Andhra Pradesh, Hyderabad have stated that Government Pleader for Arbitration, High Court buildings, Hyderabad in his letter dated 22-3-2010 **has opined that it is not a fit case for filing Civil Appeal before the Hon'ble Supreme Court of India** and also advised to satisfy the award of the Hon'ble High Court in the interests of the Government to avoid further payment of interest and requested to issue an early orders in the matter.

6. Government after careful examination hereby accord sanction of compensation of an amount of Rs.6,49,355-00 (Rupees Six lakhs Forty Nine Thousand Three Hundred and Fifty Five Only.) towards compensation with interest in MVOP.No.1717/1997, filed by Sri Mohsin Ali Khan.

7. The expenditure sanctioned in para (6) above shall be debited to the Head of Account "2055 Police -MH- 109 District Police – SH (03) District Police Force – 500- Other Charges - 501-Compensation (charged.)" and shall initially be met by way of an advance from the Contingency Fund, orders regarding which will be issued by Finance (BG.I) Department, separately.

8. The Director General of Police, Andhra Pradesh, Hyderabad is requested to take necessary action in the matter.

9. The Director General of Police, Hyderabad is requested to submit necessary proposals for obtaining supplementary grant towards recoupment of advance from the Contingency Fund at an appropriate time during the Financial year 2010-2011.

10. This order issues with the concurrence of Finance (Exp.Home) Department, vide their U.O.No.12251/171/A1/Expr.Home/10, dated 21-5-2010.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

P.GAUTAM KUMAR
PRINICIPAL SECRETARY TO GOVERNMENT.

To
The Director General of Police, Andhra Pradesh, Hyderabad.
The Accountant General, Andhra Pradesh, Hyderabad.
The Pay and Accounts Officer, Hyderabad .
The Finance (Exp.Home) Department.
SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER.